

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DURAN EVANS, SR.,

Plaintiff,

No. CIV S-05-0806 WBS GGH PS

vs.

CITY OF FAIRFIELD, et al.,

Defendants.

ORDER TO SHOW CAUSE

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This action was referred to the undersigned pursuant to Local Rule 72-302(c)(21). Pursuant to Federal Rule of Civil Procedure 4(m), the court may dismiss an action where service of summons is not made within 120 days after the filing of the complaint. In the order requiring timely service filed April 25, 2005, plaintiff was cautioned that this action may be dismissed if service was not timely completed. This action was filed April 25, 2005, and plaintiff has not yet served defendants with summons.

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1 Accordingly, IT IS HEREBY ORDERED that:

2 Plaintiff shall show cause, in writing, within ten days from the date of this order,
3 why this action should not be dismissed for failure to comply with Federal Rule of Civil
4 Procedure 4(m). Failure to timely file the required writing will result in a recommendation that
5 the case be dismissed.

6 DATED: 10/6/05

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8 /s/ Gregory G. Hollows

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10 GREGORY G. HOLLOWS
11 U. S. MAGISTRATE JUDGE

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